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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,971	01/31/2001	Eric G. Lang	MS#150411.1/40062.86US01	6285

7590 12/16/2004  
Homer L. Knearl  
Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

EXAMINER
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VU, THANH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/773,971

Applicant(s)

LANG, ERIC G.

Examiner

Thanh T. Vu

Art Unit

2174

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 1-4, 10-16, 20-26, and 28-31.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Continuation of 5. does NOT place the application in condition for allowance because: Continuation of 5. does NOT place the application in condition for allowance because: Applicant's arguments regarding claims 1, 10, and 20 are Beaton does not teach the limitations of claims 1, 10, and 20. The examiner does not agree for the following reasons:

Beaton teaches the limitations of claim 1 of a method for providing a user interface for an smart watch device, the smart watch device having a graphical user interface including a display and at least one input element, method comprising:  
displaying an information screen using a first transparency mask in a display foreground (fig. 8; col. 5, lines 9-26);  
displaying at least one control image in a display background, the display background appearing behind the display foreground, the control image indicating a task to be performed by the electronic device when the input element is activated (fig. 8; col. 9-26); and  
associating the control image with the input element (col. 4, lines 56-63; col. 5, lines 40-48).

Beaton teaches the limitations of claim 10 of a method for inputting control signals to an electronic device, the electronic device having a graphical user interface including a display and at least one input element, the method comprising:  
generating an information screen (fig. 8; col. 5, lines 9-26);  
generating a control screen having at least one control image (fig. 9A-9C and 10A-10C);  
associating the control image with the input element (fig. 9A-9C and 10A-10C; col. 4, lines 56-63; col. 5, lines 40-62)  
combining the information screen and the control screen into a composite screen such that the information screen and the control screen appear in an overlapping fashion and displaying the composite screen in the display (figs 8; and 10A-10C);

Beaton teaches the limitations of claim 20 of a computer program product readable by computing system and encoding computer program of instructions for executing computer process for inputting control signals to an electronic device, the electronic device having a graphical user interface including display and at least one input element, the computer process comprising:  
generating with an alpha channel an information screen (figs. 8 and 10A-10C; col. 4, lines 53-55);  
generating with an alpha channel a control screen having at least one control image (fig. 9A-9C; col. 4, lines 53-55);  
associating the control image with the input element (figs. 9A-9C; col. 5, lines 49-62; col. 4, lines 56-63);  
blending the information screen and control screen into a composite screen such that both the information screen and the control screen appear as full screens and displaying the composite screen on the entire display (figs. 8 and 10A-10C).